

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JENNIFER ARMISTEAD,

Plaintiff,

v.

TWG MANAGEMENT, LLC,

Defendant.

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**CIVIL ACTION FILE NO.:
1:24-cv-02583-MHC**

**PLAINTIFF'S STATEMENT OF ADDITIONAL MATERIAL FACTS
THAT PRESENT GENUINE ISSUES FOR TRIAL**

COME NOW, **JENNIFER ARMISTEAD**, Plaintiff, who, by and through the undersigned files *Plaintiff's Statement of Additional Material Facts That Present Genuine Issues for Trial*, showing the Court as follows:

**Statements of Additional Material Facts
That Present Genuine Issues For Trial**

1.

The extent of Defendant TWG's prior knowledge concerning the subject dog is in dispute. For the reasons stated in *Plaintiff's Brief in Opposition to Defendant's Motion for Summary Judgment*, this is a genuine issue of material fact for

determination by a jury rather than at the summary judgment stage. Defendant TWG's corporate representative testified that Defendant was completely unaware of the subject dog's unauthorized presence on the premises. Dep. of Kendrel Bretz 28:11–19.

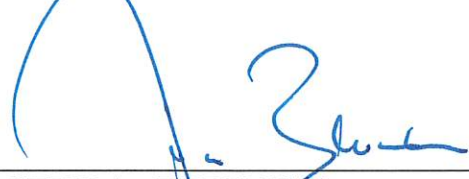
Rex Zaragoza, a former employee of Defendant, told an investigator that while employed by Defendant he had seen the “intimidating” subject dog running freely around the Silver Oaks and reported the same to upper management. Dep. of Kendrel Bretz at Ex. 3. He also stated management called animal control on multiple occasions in an effort to address the issue, but animal control was unable to find the subject dog each time. Dep. of Kendrel Bretz at Ex. 3. Zaragoza was aware of at least one resident, an elderly gentlemen, reporting the issue to Defendant. Dep. of Kendrel Bretz at Ex. 3. Another resident, Alexia Duru, had witnessed two attacks by the subject dog and reported both incidents to Defendant. Dep. of Kendrel Bretz at Ex. 2. With Defendant testifying that it had no knowledge of the subject dog despite four (4) reports to management detailed by Zaragoza and Duru, it is clear that Defendant's prior knowledge of the subject dog remains at issue and must be determined by a jury.

This 2nd day of January, 2025.

Armistead v. TWG Management, LLC

United States District Court for the Northern District of Georgia, Atlanta Division
Plaintiff's Statement of Additional Material Facts That Present Genuine Issues for Trial

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Armistead v. TWG Management, LLC

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*Plaintiff's Statement of Additional Material Facts That Present Genuine Issues for
Trial*

CERTIFICATE OF SERVICE AND COMPLIANCE
WITH LOCAL RULE 5.1

I hereby certify that I have this day filed a copy of the foregoing ***Plaintiff's Statement of Additional Material Facts That Present Genuine Issues for Trial*** with the clerk of court via the PACER ECF e-filing system, which will automatically serve counsel of record as follows:

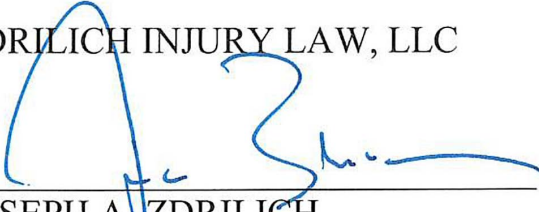
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I further certify that the foregoing ***Plaintiff's Statement of Additional Material Facts That Present Genuine Issues for Trial*** is in compliance with Local Rule 5.1(B) governing font and point selections.

This 2nd day of January, 2025.

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